

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

WILDLIFE AND FISHERIES BUILDING
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NEW ORLEANS, LOUISIANA 70130

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December 14, 1981

original

MEMORANDUM

TO: All Board Members
FROM: Jan
SUBJECT: Pages to be added to September minutes

The enclosed agenda page is to be substituted for the one in your September minutes. Pages 16 & 17 should be placed in the back of the minutes.

Kindest regards.

Jan

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

September 28 & 29, 1981

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ADDENDUM

(The full text of the resolution
is here made part of the record)

WHEREAS, the Department announced in its news release to media services of the Commission Agenda on August 17, 1981, that there would be consideration given to a proposed shell dredging lease in the Pointe-au-Fer area at the regular public meeting on Tuesday, August 25, 1981, and

WHEREAS, the matter was considered and discussed at the open meeting of the Commission as a "Committee of the Whole" on Monday afternoon, August 24, and

WHEREAS, the proposed consideration of a shell dredging lease in the Pointe-au-Fer area was discussed again at the regular meeting on Tuesday, August 25, where it was recommended and agreed to that the Commission meet as a "Committee of the Whole" in the Baton Rouge office on Wednesday, September 23, at 1:30 P.M. in an open meeting to consider in substantial and specific detail the merits of such a lease, and

WHEREAS, the Department's announcement on September 21, to media services of the Commission's agenda for the regular public meeting on Tuesday, September 29, listed this subject as Item 1, and

WHEREAS, the Commission as a "Committee of the Whole" did in fact meet, review, discuss and revise several provisions in the proposed draft lease on Wednesday, September 23, and

WHEREAS, the Commission met again on Monday, September 28, as a "Committee of the Whole" and did further review and revise the proposed shell dredging lease in the interest of the Department and the State, and solicited comments from the public in attendance, and

WHEREAS, the Commission at its regular monthly meeting on Tuesday, September 29, 1981, did receive a recommendation from Dr. Ted Ford, Assistant Secretary, that the lease be approved for execution by the Secretary, and

WHEREAS, the Chairman did solicit comments from those in attendance and no adverse comments were received, now,

THEREFORE BE IT RESOLVED that the Secretary of the Department is authorized to execute the approved lease in behalf of the Department and the State of Louisiana.

* * *

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

BOARD MEETING

Monday, September 28, 1981

and

Tuesday, September 29, 1981

J. C. GILBERT
CHAIRMAN

400 Royal Street
New Orleans, Louisiana

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

September 28 & 29, 1981

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MINUTES OF MEETING
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
NEW ORLEANS, LOUISIANA

September 28, 1981
and
September 29, 1981

Chairman J. C. "Sonny" Gilbert, presiding.

Members present:

Mr. J. C. Gilbert, Chairman
Mr. Charles A. Riggs, Vice Chairman
Mr. Wayne C. Ducote
Mr. James C. Farrelly
Mr. George N. Gray
Mr. Jesse M. Knowles
Mr. M. Bobby Orgeron

Also present: Mr. Jesse J. Guidry, Secretary

* * *

The regular monthly meeting of the Louisiana Wildlife and Fisheries Commission was called to order by the Chairman, Mr. J. C. Gilbert, on Monday, September 28, 1981, at 2:00 P.M.

A roll call of members present was taken.

Motion was made by Mr. Charles A. Riggs, seconded by Mr. Jesse M. Knowles, and passed unanimously, that the Commission go into a committee of the whole.

Motion was made by Mr. Charles A. Riggs, seconded by Mr. Jesse M. Knowles, and passed unanimously, that the committee of the whole rise and report progress.

Upon motion of Mr. Charles A. Riggs, seconded by Mr. Jesse M. Knowles, and passed unanimously, the Commission dispensed with the reading of the minutes of the Commission Meeting held on August 24 and 25, 1981, and moved their adoption.

Dr. Ford said the Commission has studied the work of the committee of the whole at a meeting in Baton Rouge on September 23, 1981. Additional suggestions were made for clarifying the proposed lease for shell dredging in Pointe-au-Fer area requested by Ratcliff Materials. These suggestions were reviewed by the Department's attorney and then incorporated into the lease.

Commissioner Wayne C. Ducote pointed out that the Commission could suspend the lessee's operations if it were felt to be environmentally detrimental. He asked what would be the burden of proof in this case.

Dr. Ford answered that it would be the dredging of live oysters or damage to any other situation in the wild-life category. Any operation which would be detrimental to fish and wildlife resources would serve that purpose. As far as Ratcliff Materials was concerned, he did not foresee any difficulties in the future with this particular firm since they have cooperated well with the Department in the past.

Commissioner Jesse M. Knowles said that yesterday he had raised the question of using 25¢ as a base carrying it through continually through a period of years. He met with the Department's attorney and the Department's accountant and they came to the conclusion that the same numbers were derived whether you use the original 25¢ or work it on an annual basis. He said he was satisfied with the new formula.

Dr. Ford recommended the Commission's approval of the execution of the shell lease by the Secretary.

Motion was made by Mr. Jesse M. Knowles, seconded by Mr. James C. Farrelly, that the lease agreement which has been under discussion be approved by the Commission and shall be signed by Mr. Jesse J. Guidry, Secretary. A roll call vote was taken with Messrs. Ducote, Farrelly, Gilbert, Gray, Knowles, Orgeron and Riggs all voting "yes." The lease was approved unanimously.

Motion was made by Mr. Jesse M. Knowles, seconded by Mr. Charles A. Riggs, and passed unanimously, that a renewal permit be granted to P & L Investment Corporation to remove fill material from the Mississippi River at Mile Point 125.4, Hahnville, Louisiana, St. Charles Parish.

BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby grant permission to P. & L. Investment Corporation, to remove fill material from the Mississippi River at Mile Point 125.4, Hahnville, Louisiana, St. Charles Parish, for a period of one year from August 29, 1981, to August 29, 1982, at a royalty rate of 10¢ per cubic yard.

* * *

Chairman Gilbert stated that the item for discussion concerning seismic fees and regulations on wildlife management areas had been assigned to the Commission's subcommittee for study and will be discussed at the next meeting. Mr. George N. Gray is the committee chairman. Mr. Ducote and Mr. Knowles also serve on the same committee.

Mr. Huey Sanders discussed hunter safety instruction needs. Mr. Sanders asked the Commission to consider a resolution the Education Section is proposing to allow the use of small designated areas on wildlife management areas for shooting ranges to be used for hunting safety classes and to be used by the public for target shooting practice, etc.

Commissioner Farrelly asked Mr. Sanders if they planned to have a shooting range on each wildlife management area.

Mr. Sanders replied that shooting ranges were not planned for every wildlife management area. They wanted to have them on the critical areas first such as New Orleans and then later on have them on other areas when funding is available. The cost of one of these ranges is approximately two thousand dollars (\$2,000.00) by using their own personnel and equipment which would keep costs to a minimum.

Commissioner Riggs said he had one reservation concerning the resolution. He questioned the requirement for constant supervision when zeroing rifles and patterning shotguns. He said all over the United States there are ranges used by the public and he didn't think it was necessary to have them supervised at all times.

Mr. Sanders stated it was not planned to have someone on the range at all times but simply the range would be under the supervision of our department personnel who are already assigned to the area.

Secretary Guidry said that personnel on these game management areas would be asked to cooperate by helping to institute and carry on this program.

Mr. Van Dousen, Arabi, Louisiana, St. Bernard Parish, stated he was a volunteer instructor for hunting safety since 1975. He said at this time they had no place to give firearm instruction, actual handling of weapons. He voiced his support for the program of having shooting ranges on wildlife management areas within the state.

Chairman Gilbert stated that the Louisiana Wildlife Federation appeared before the Commission yesterday and said they were in complete agreement with the plan (shooting ranges) as proposed.

Motion was made by Mr. Charles A. Riggs, seconded by Mr. Wayne C. Ducote, and passed unanimously, that the following resolution be adopted.

(The full text of the resolution
is here made a part of the record)

WHEREAS, the ultimate goal of the Louisiana Hunter Education Program is the reduction of hunting accidents, and

WHEREAS, the hunter safety program is rapidly expanding in Louisiana, and it is presently in all parishes of the state, including the public school systems of twenty-five parishes and in other parishes through youth camps, 4-H Clubs, junior deputy programs, boys' clubs, Boy Scouts, and our district offices, and

WHEREAS, we are under mandate by resolution of the Louisiana State Legislature to study mandatory hunter safety training for Louisiana, and

WHEREAS, live firing is a mandatory part of our hunter safety program in accordance with our federal aid

project agreement, and

WHEREAS, there are no public shooting ranges in our State, and

WHEREAS, we emphasize sport hunting as a tool of wildlife management and support private ownership of legal firearms, and

WHEREAS, we promote better marksmanship both for safety and clean kills, and

WHEREAS, we have some 36 wildlife management areas either owned or leased by Louisiana Department of Wildlife and Fisheries which can provide safe shooting areas, and

WHEREAS, these areas are supervised and patrolled by Department personnel, and

WHEREAS, funds for construction of needed ranges are available through Pittman-Robertson funding and by use of our Departmental personnel and equipment.

THEREFORE BE IT RESOLVED that the Louisiana Department of Wildlife and Fisheries go on record this date supporting the use of small designated areas located in departmentally-controlled wildlife management areas for hunter safety education classes including supervised shooting for training purposes and other supervised activities such as zeroing rifles and patterning shotguns.

BE IT FURTHER RESOLVED that the Commission regulations governing the use of wildlife management areas be amended to allow firearm educational activities including shooting on the designated areas effective immediately.

* * *

Mr. Allan Ensminger, Chief, Fur and Refuge Division, stated he had received a request from the Terrebonne Parish Police Jury to grant them a 150 ft. right-of-way across a portion of the western tip of Pointe-au-Chien Wildlife Management Area. They presently have a 100 ft. right-of-way granted them by the prior owners and want to add to this so they can renovate an old existing drainage and protection levee.

Commissioner James C. Farrelly stated that he thought the renovation of the drainage and protection levee was important to protect the people of Terrebonne Parish. He commented that there seemed to be a negative attitude of some officials in Terrebonne Parish concerning enforcement of wildlife and fisheries' laws. Mr. Farrelly said he would like for the Terrebonne officials to show us the same cooperation that we are showing them in protecting the people of Terrebonne Parish by cooperating with us in the enforcement of our laws governing wildlife and fisheries.

Motion was made by Mr. Wayne C. Ducote, seconded by Mr. Jesse M. Knowles, and passed unanimously, that a 150 ft. right-of-way across the western tip of Pointe-au-Chien Wildlife Management Area be granted the Terrebonne Parish Police Jury for signature by Mr. Jesse J. Guidry, Secretary.

(The full text of the resolution
is here made a part of the record)

WHEREAS, the Louisiana Wildlife and Fisheries Commission has received a request from the Terrebonne Parish Police Jury for a right-of-way grant to cross a portion of the western tip of the Department-owned Pointe-au-Chien Wildlife Management Area, and

WHEREAS, the Terrebonne Parish Police Jury presently has an existing right-of-way grant from the prior owners of the property, and

WHEREAS, the proposed public improvement would be beneficial to many citizens living in the Montegut community, and

NOW THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby grant to the Terrebonne Parish Police Jury a right-of-way grant to construct and maintain a tidewater protection levee across a portion of the western tip of the Pointe-au-Chien Wildlife Management Area in Terrebonne Parish and the Secretary is hereby authorized to sign all documents pertaining to this matter.

* * *

Mr. Joe Herring, Chief, Game Division, stated there was some land in Madison, Tensas and Franklin Parishes that was unique wildlife-wise. This land consists of 100,000 acres of prime bottomland hardwood that is owned by Chicago Mills. Mr. Herring said this was probably the best prime wildlife area left in a large block in the entire State of Louisiana and should be preserved in some way to keep it in good wildlife habitat.

Motion was made by Mr. George N. Gray, seconded by Mr. Charles A. Riggs, and passed unanimously, that the following resolution be adopted.

(The full text of the resolution
is here made a part of the record)

BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission endorses the concept of the State acquiring 50,000 acres of land in Madison, Tensas, and Franklin Parishes from Chicago Mills and Lumber Company, this being done for the twin purposes of preserving half of this last magnificent tract of bottomland and hardwoods in north Louisiana and re-instating it as a wildlife management area.

FURTHERMORE that this acquisition be considered a high priority matter.

BE IT FURTHER RESOLVED that the Louisiana Department of Wildlife and Fisheries urge the appropriation of funds by the Congress to acquire the other 50,000 acres in order that the entire 100,000 acre tract can be maintained as bottomland hardwoods for use and enjoyment of present and future generations as well as wildlife, and recommend that the management of the federal lands be by the State as a wildlife management area in order that uniformity of programs would apply over the entire tract.

* * *

Commissioner Gray accepted an amendment to his resolution by Commissioner Jesse M. Knowles, seconded by Mr. Charles A. Riggs, and passed unanimously, that copies of the resolution be sent to our Congressional Delegation which would include our two Senators and all Congressmen.

Mr. Randy Langton, Executive Director of the Louisiana Wildlife Federation, stated their federation was very much in favor of the purchase of the tract and any other additional acreage that could be acquired. He did not agree with the word "priority" in the resolution. He said there was land for sale in the Atchafalaya Spillway by willing sellers and wanted the Commission to look into the purchase of this land. He stated the Atchafalaya land should be considered along with the Tensas tract.

Mr. Edgar Veillon, currently on the Board of Directors of "Save the Atchafalaya Basin, Inc." made some statements to the Commission opposing what he termed "priority status" given to the Tensas or Chicago Mills tract. He said the Commission should make a commitment in order for the Atchafalaya land to be preserved. He wanted the Atchafalaya land to be given top priority.

Secretary Guidry stated that this resolution has been very carefully worded. Nowhere does it say that it gives top priority to this over the Atchafalaya Basin issue. It says simply that it be considered high priority. There is no effort on the part of this Commission to pit one against the other. This resolution does not ask the Governor to appropriate funds to purchase this property. The Atchafalaya Basin issue is separate from this one; each one will have to stand on its own. The Governor will have to make a decision on this and the Legislature is going to have to make a decision.

Mr. Veillon responded by saying that he knew the resolution did not say top priority but the fact is the Commission has not given any priority to the Atchafalaya Basin which is a long standing issue and worthy of attention.

Secretary Guidry said the Commission has been informed and he had been working very closely with the Governor on the Atchafalaya Basin issue and his staff has been in constant contact with the people involved. The Commission understands what we are doing and because of the delicate negotiations, they do not want to pass resolutions at this time.

Commissioner George N. Gray stated that the resolution was very carefully drafted so that it would not appear

to be a competitive situation. The Commission is faced with two different situations insofar as acquisition is concerned.

Commissioner James C. Farrelly stated that the Atchafalaya Basin was not on the agenda to be discussed at this time. The Chicago Mill tract was on the agenda to be discussed. He was not against discussing the Atchafalaya but was not properly prepared to do so at this time. He requested that the Atchafalaya issue be brought up at the next Commission Meeting.

Commissioner Jesse M. Knowles said he appreciated Mr. Veillon's concern for the Atchafalaya Basin. He was happy he brought it up because it gave him an opportunity to say that Governor Treen had "guts" enough to take a position on the Atchafalaya resolution and in resolving a question. The previous Governor did not have guts enough to do this.

Commissioner Knowles assured Mr. Veillon that he should not have any concern because the Atchafalaya situation is going to be resolved whether the Chicago Mills tract is bought or not bought. Governor Dave Treen is going to resolve the Atchafalaya issue.

Mr. Edgar Veillon stated that until Governor Treen "stuck his political neck out," they were like a football team with no offense. The Louisiana Wildlife Federation acknowledged Governor Treen with a plaque earlier this year for his outstanding contributions toward preserving the natural resources in the State of Louisiana. He said the Federation has an undying gratitude to the Governor.

Mr. Veillon continued further by saying that the Commission, whether knowingly or unknowingly, has put itself in an embarrassing spot by taking a position on one and not the other.

Ms. Jan Villarrubia Morrell, member of the Sierra Club, supported Mr. Veillon on his views regarding "Save the Atchafalaya Basin." She said if she were to choose between the two tracts, she would prefer the Atchafalaya.

Motion was made by Mr. Jesse M. Knowles, seconded by Mr. Charles A. Riggs, and passed unanimously, that the

resolution as proposed by Mr. Harry Schafer, Chief, Seafood Division, setting the oyster season in Calcasieu Lake be adopted. (Resolution follows)

(The full text of the resolution is here made a part of the record)

WHEREAS, the Department biologists and the Chief of the Seafood Division have recommended the fishing of oysters in Calcasieu Lake with the exception of the Calcasieu River and Ship Channel, East Fork, West Fork, and Oyster Bayou, and

WHEREAS, the State Department of Health will examine the growing oysters of this aforementioned area and approve the waters for fishing oysters if the health standards are met, and

NOW THEREFORE BE IT RESOLVED by the Louisiana Wildlife and Fisheries Commission that the Calcasieu Lake Oyster Season for 1981-1982 be set in accordance with the following rules and regulations:

- (1) That the oyster season in Calcasieu Lake be one-half hour before sunrise on Sunday, November 1, 1981, and that the Secretary has the authority to close the season whenever biologically justifiable.
- (2) That oyster fishing be limited to only the use of tongs and to daylight hours.
- (3) The open areas shall be confined to the area of Calcasieu Lake, with the exception of Calcasieu River and Ship Channel, East Fork, West Fork, and Oyster Bayou which shall be closed.
- (4) The 3 inch culling law shall be observed by all fishermen fishing the area reefs to provide for future harvesting.
- (5) All oysters shall be put into sacks before leaving the oyster fishing area in Calcasieu Lake. Oysters not in sacks leaving the fishing area in Calcasieu Lake shall be confiscated and violator subject to penalty set

forth in Title 56, Section 115.

- (6) The taking of oysters for commercial purposes shall be limited to 15 sacks per boat per day.
- (7) The taking of oysters for home consumption shall be limited to three bushels (two sacks per boat per day), which need not be tagged.
- (8) All commercial fishing of oysters shall be done only with proper licenses, and the sacks of oysters be properly tagged before leaving fishing vessel. All sacks entering into commerce shall be tagged.

This done by emergency action.

* * *

Chairman Gilbert commended two employees who were elected to important offices in the State and in the field they are presently in. Mr. Bob Dennie, Information Officer, was recently elected President-elect of the Outdoor Writers Association of America. Mr. Hugh Burts, Wildlife Management Educator in District IV, Ferriday, Louisiana, has been elected President for the Association of Conservation Information.

Commissioner Jesse M. Knowles stated that about nine months ago the Commission passed a resolution concerning the problem of compensation for our biologists as far as the salaries compared to the Natural Resources biologists. The referred to resolution passed on December 16, 1980, reads as follows:

(The full text of the resolution
is here made part of the record)

WHEREAS, the Louisiana Wildlife and Fisheries Commission is aware of the recent consolidation and reclassification of certain classified scientific and technical personnel within the Department of Natural Resources, and

WHEREAS, the Commission recognizes the need to

increase efficiency and improve operational functions within all state departments, and

WHEREAS, the scientific and technical personnel within the Department of Wildlife and Fisheries and have similar educational experience qualification requirements and the responsibility of managing the state's renewable fish and wildlife resources need a change in salary classification in order to encourage employment in the Department, and

WHEREAS, the Commission is aware of the wide discrepancies in the salaries between Louisiana Wildlife and Fisheries Biologists and the newly established Environmental Resources Specialists classes within the Department of Natural Resources, and

NOW THEREFORE BE IT RESOLVED the Louisiana Wildlife and Fisheries Commission requests the Louisiana Department of Civil Service to include the Department of Wildlife Biologists, Chemists, and Geologists in the newly established Environmental Classes, as a Biologists', Chemists' and Geologists' option, as has been accorded the Chemists, Engineers, and Geologists with the Department of Natural Resources.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Mr. George Hamner, Director of the Louisiana Department of Civil Service for his action.

* * *

Commissioner Knowles said in the last nine months nothing has been done by Civil Service to solve the problem. Our people are basically underpaid for their educational requirements. The people who work in Natural Resources get \$300 to \$500 more per month for the same education. Young biologists coming out of school are attracted to Natural Resources for the better salary and, also, our experienced people when they have the opportunity.

Commissioner Knowles requested Secretary Jesse J. Guidry to talk with Mr. George Hamner, Department of Civil Service, concerning this matter.

Secretary Guidry said he appreciated the support of the Commission in all our efforts to remedy a wrongful act

by Civil Service. When reorganization occurred, the Department of Natural Resources took over the Stream Control Commission and our personnel doing this same work moved from this department into the Department of Natural Resources at a higher salary.

Secretary Guidry said not only this Department but the Department of Health and Human Resources as well had the problem of having their people leave to go to work for Natural Resources at the higher salary. Secretary Guidry discussed this matter with Mr. Hamner, Director of Civil Service, and Mr. Hamner said that this was a mistake and he was going to remedy this mistake by lowering these people's salary.

Secretary Guidry and Secretary George Fischer do not want Mr. Hamner's solution to the salary problem and met with the Governor on several occasions. Thus far, the Governor has not been able to get the Department of Civil Service to rectify this situation.

Commissioner James C. Farrelly stated that he would like some information concerning safety on Lake Pontchartrain Causeway and suggested that it be put on the agenda for the next meeting.

Mr. Greg Weimar, Undersecretary, stated that basically the Causeway Commission has authorized the expenditure of \$100,000 maximum for the implementation of the Loran C early warning system for the Causeway. Mr. Weimar said he and Bob Smothers have worked on a specification and discussed this with various vendors throughout the city and have found they can possibly implement the Loran C system with that \$100,000.00.

Mr. Weimar further stated that we have the funds this year to continue operating the Causeway with the Widgeon and hope to have the Loran C system installed within the next year. This will have to go out on bid through the Division of Administration for a vendor to be selected.

Mr. Weimar pointed out that after this system is installed, we will be responsible for the operation and it is an unmanned system that is proposed. We will be responsible for the maintenance of this equipment which is essentially a mini-computer, possibly a CRT and a

printer of some type.

Commissioner Jesse M. Knowles asked if there was any consideration given to signal lights to warn people if there should be a break in the Causeway.

Mr. Weimar stated that signal lights have been considered but not for implementation at this time. The Causeway Commission said in the future they may tie in this red light system on the Causeway right to the same system for the Loran C. Mr. Weimar said that enough expansion will be built within this system so they can tie-in with the red light system across the Causeway. Traffic could then be stopped by the use of the red lights.

Commissioner Farrelly requested that the Commission have an update on the situation at the November Commission Meeting.

Chairman Gilbert thanked the Louisiana Wildlife Federation representatives and the representative from the Sierra Club for being in attendance at the meeting.

Chairman Gilbert announced the dates for the October Commission Meeting as October 26 and 27, 1981. The November meeting will be held on November 23 and 24, 1981.

Mr. Ed Lennox stated the resolution which was passed concerning the three-parish lease began in January, 1976, and with one small interruption has been almost continuous from that time until today. It has been a long and tedious process, he said, and wanted to express his gratitude to the Commission, Secretary Guidry, Dr. Ford, Harry Schafer, and Gregory Weimar for their patience and consideration.

Commissioner George N. Gray stated he would like for Secretary Guidry to ask the proper person at Civil Service as to the status of the biologists' salaries and to let him know the Commission has inquired as to the status. He said we are in a ridiculous situation whereby a man can walk across the hall and get a job with a state agency paying a higher salary.

Motion was made by Mr. Jesse M. Knowles, seconded

by Mr. Charles A. Riggs, and passed unanimously, that the meeting be adjourned.

* * *

Jesse J. Guidry
Secretary

J. C. Gilbert
Chairman

Minutes transcribed
by Jan Sommers